

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		
	Uwe Dewinter	
Serial No.:	10/797,639	Art Unit 3781
Filing Date:	March 9, 2004	
Title:	FREIGHT CONTAINER	Conf. No. 4744
Examining Attorney:	Shawn M. Braden	

**LETTER REGARDING ADVISORY ACTION
BEFORE THE FILING OF AN APPEAL BRIEF**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This correspondence is responsive to the Advisory Action Before the Filing of an Appeal Brief mailed August 6, 2007 for the above-referenced application.

In the Action, the Examiner considered Applicant's prior submission as an amendment after final rejection and refused to enter the proposed amendments.

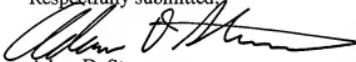
As Applicant has indicated to the Examiner in several telephone communications, Applicant's submission on July 27, 2007 was improperly indexed by the undersigned's new secretary as an "amendment after final rejection" instead of the proper designation, "request for continued examination." This indexing error occurred as a misunderstanding on her part as to the proper indexing category to use. However, the paper itself prominently bore the title

"REQUEST FOR CONTINUED EXAMINATION," and the submission included the proper fee for a request for continued examination under the proper fee code (see Fee worksheet dated July 27, 2007). Therefore, Applicant respectfully requests that the Office consider Applicant's July 27, 2007 submission as a request for continued examination and not as an amendment after final rejection. Applicant therefore requests that the Advisory Action be withdrawn, and that the July 27, 2007 submission be considered in full.

If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 4 day of September, 2007.

Respectfully submitted,



Adam D. Stevens
Attorney for Applicant
Registration No.: 58,577

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 350-7660
Facsimile: (801) 321-4893